



Montana Legislative History

Chapter: 324 Session L: 2003

Bill Number: 303 House / Senate

Checklist of Bill History

History and Final Status Sheet

Fiscal Note

Introduced Bill

Final Version of Bill



House	Senate
Committee: Federal Relations, Energy, and Telecommunications	Committee: Natural Resources
Hearing Date(s): 1/20	Hearing Date(s): 03/05, 03/12
Conference Committee	
Hearing Date(s): N/A	

Compiler Notes

Compiled by: FR, EM

Date: 6/12/2023

Bill Draft Number: LC0750

Bill Type - Number: HB 303

Short Title: Revise definition of "facility" under major facility siting act

Primary Sponsor: Alan Olson (R) HD 8

Chapter Number: 324

Bill Actions - Current Bill Progress: Became Law

Bill Action Count: 52

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	04/15/2003			
(H) Signed by Governor	04/15/2003			
(H) Transmitted to Governor	04/11/2003			
(S) Signed by President	04/10/2003			
(H) Signed by Speaker	04/10/2003			
(H) Returned from Enrolling	04/09/2003			
(C) Printed - New Version Available	04/09/2003			
(H) Sent to Enrolling	04/08/2003			
(H) 3rd Reading Passed as Amended by Senate	04/08/2003	66	34	
(H) Scheduled for 3rd Reading	04/08/2003			
(H) 2nd Reading Senate Amendments Concurred	04/07/2003	86	13	
(H) Scheduled for 2nd Reading	04/07/2003			
(S) Returned to House with Amendments	03/20/2003			
(S) 3rd Reading Concurred	03/20/2003	35	15	
(S) Scheduled for 3rd Reading	03/20/2003			
(S) 2nd Reading Concurred	03/19/2003	35	14	
(S) Scheduled for 2nd Reading	03/19/2003			
(C) Printed - New Version Available	03/17/2003			
(S) Committee Report--Bill Concurred as Amended	03/17/2003			(S) Natural Resources
(S) Committee Executive Action--Bill Concurred as Amended	03/17/2003	10	2	(S) Natural Resources
(S) Hearing	03/12/2003			(S) Natural Resources
(S) Hearing Canceled	03/06/2003			(S) Natural Resources
(S) Hearing	03/05/2003			(S) Natural Resources
(S) Referred to Committee	02/24/2003			(S) Natural Resources
(S) First Reading	02/24/2003			
(H) Transmitted to Senate	02/11/2003			
(H) 3rd Reading Passed	02/11/2003	88	12	
(H) Scheduled for 3rd Reading	02/11/2003			

(H) 2nd Reading Passed	02/10/2003	93	7
(H) Scheduled for 2nd Reading	02/10/2003		
(C) Printed - New Version Available	01/31/2003		
(H) Committee Report--Bill Passed as Amended	01/31/2003		(H) Federal Relations, Energy, and Telecommunications
(H) Committee Executive Action--Bill Passed as Amended	01/30/2003	14	0 (H) Federal Relations, Energy, and Telecommunications
(H) Hearing	01/20/2003		(H) Federal Relations, Energy, and Telecommunications
(C) Introduced Bill Text Available Electronically	01/13/2003		
(H) Referred to Committee	01/13/2003		(H) Federal Relations, Energy, and Telecommunications
(H) First Reading	01/13/2003		
(H) Introduced	01/13/2003		
(C) Draft Delivered to Requester	01/09/2003		
(C) Draft Ready for Delivery	12/31/2002		
(C) Draft in Assembly/Executive Director Review	12/27/2002		
(C) Draft in Final Drafter Review	12/27/2002		
(C) Bill Draft Text Available Electronically	12/26/2002		
(C) Draft in Input/Proofing	12/26/2002		
(C) Draft to Drafter - Edit Review [JLN]	12/24/2002		
(C) Draft in Edit	12/24/2002		
(C) Draft in Legal Review	12/23/2002		
(C) Draft to Requester for Review	12/19/2002		
(C) Draft to Requester for Review	12/16/2002		
(C) Draft On Hold	12/07/2002		
(C) Draft Taken Off Hold	12/07/2002		
(C) Draft Request Received	11/14/2002		

Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name Mi
Requester	Olson	Alan
Drafter	Everts	Todd
Primary Sponsor	Olson	Alan

Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Environmental Protection	Simple		ENVP
Utilities	Simple		UT

Additional Bill Information

Fiscal Note Probable: No

Preintroduction Required: N

Session Law Ch. Number: 324

DEADLINE

Category: General Bills

Transmittal Date: 02/28/2003

Return (with 2nd house amendments) Date: 04/05/2003

Section Effective Dates

Section(s)	Effective Date	Date Qualified
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All Sections	15-APR-03	
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HOUSE BILL NO. 303
INTRODUCED BY A. OLSON

A BILL FOR AN ACT ENTITLED: "AN ACT MODIFYING THE DEFINITION OF "FACILITY" UNDER THE MONTANA MAJOR FACILITY SITING ACT AS IT RELATES TO TRANSMISSION LINES; AMENDING SECTION 75-20-104, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 75-20-104, MCA, is amended to read:

"75-20-104. Definitions. In this chapter, unless the context requires otherwise, the following definitions apply:

(1) "Addition thereto" means the installation of new machinery and equipment that would significantly change the conditions under which the facility is operated.

(2) "Application" means an application for a certificate submitted in accordance with this chapter and the rules adopted under this chapter.

(3) "Associated facilities" includes but is not limited to transportation links of any kind, aqueducts, diversion dams, pipelines, transmission substations, storage ponds, reservoirs, and any other device or equipment associated with the delivery of the energy form or product produced by a facility, except that the term does not include a facility or a natural gas or crude oil gathering line 25 inches or less in inside diameter.

(4) "Board" means the board of environmental review provided for in 2-15-3502.

(5) "Certificate" means the certificate of environmental compatibility issued by the department under this chapter that is required for the construction or operation of a facility.

(6) "Commence to construct" means:

(a) any clearing of land, excavation, construction, or other action that would affect the environment of the site or route of a facility but does not mean changes needed for temporary use of sites or routes for nonutility purposes or uses in securing geological data, including necessary borings to ascertain foundation conditions;

(b) the fracturing of underground formations by any means if the activity is related to the possible future development of a gasification facility or a facility employing geothermal resources but does not include the gathering of geological data by boring of test holes or other underground exploration, investigation, or experimentation;

(c) the commencement of eminent domain proceedings under Title 70, chapter 30, for land or rights-of-way upon or over which a facility may be constructed;

(d) the relocation or upgrading of an existing facility defined by subsection (8)(a) or (8)(b), including upgrading to a design capacity covered by subsection (8)(a), except that the term does not include normal maintenance or repair of an existing facility.

(7) "Department" means the department of environmental quality provided for in 2-15-3501.

(8) "Facility" means:

(a) each electric transmission line and associated facilities of a design capacity of more than 69 kilovolts, except that the term:

(i) does not include an electric transmission line and associated facilities of a design capacity of 230 kilovolts or less and 10 miles or less in length; ~~and~~

(ii) does not include an electric transmission line with a design capacity of more than 69 kilovolts but less than 230 kilovolts for which the person planning to construct the line has obtained right-of-way agreements or options for a right-of-way from more than 75% of the owners who collectively own more than 75% of the property along the centerline; and

(iii) does not include an electric transmission line extending from an electrical generation facility, as defined in 15-24-3001(4), to the point at which the transmission line connects to a regional transmission grid at an existing transmission substation or other facility;

(b) (i) each pipeline, whether partially or wholly within the state, greater than 25 inches in inside diameter and 50 miles in length, and associated facilities, except that the term does not include:

(A) a pipeline within the boundaries of the state that is used exclusively for the irrigation of agricultural crops or for drinking water; or

(B) a pipeline greater than 25 inches in inside diameter and 50 miles in length for which the person planning to construct the pipeline has obtained right-of-way agreements or options for a right-of-way from more than 75% of the owners who collectively own more than 75% of the property along the centerline;

(ii) each pipeline, whether partially or wholly within the state, greater than 17 inches in inside diameter and 30 miles in length, and associated facilities used to transport coal suspended in water;

(c) any use of geothermal resources, including the use of underground space in existence or to be created, for the creation, use, or conversion of energy, designed for or capable of producing geothermally derived power equivalent to 25 million Btu's per hour or more or any addition thereto, except pollution control facilities approved by the department and added to an existing plant; or

(d) for the purposes of 75-20-204 only, a plant, unit, or other facility capable of generating 50 megawatts of hydroelectric power or more or any addition thereto.

(9) "Person" means any individual, group, firm, partnership, corporation, limited liability company, cooperative, association, government subdivision, government agency, local government, or other organization or entity.

(10) "Transmission substation" means any structure, device, or equipment assemblage, commonly located and designed for voltage regulation, circuit protection, or switching necessary for the construction or operation of a proposed transmission line.

(11) "Utility" means any person engaged in any aspect of the production, storage, sale, delivery, or furnishing of heat, electricity, gas, hydrocarbon products, or energy in any form for ultimate public use."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

- END -

HOUSE BILL NO. 303

INTRODUCED BY A. OLSON, BALES, KEANE, LANGE, MATTHEWS, MCGEE, PETERSON

A BILL FOR AN ACT ENTITLED: "AN ACT MODIFYING THE DEFINITION OF "FACILITY" UNDER THE MONTANA MAJOR FACILITY SITING ACT AS IT RELATES TO TRANSMISSION LINES; AMENDING SECTION 75-20-104, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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(2) "Application" means an application for a certificate submitted in accordance with this chapter and the rules adopted under this chapter.

(3) "Associated facilities" includes but is not limited to transportation links of any kind, aqueducts, diversion dams, pipelines, transmission substations, storage ponds, reservoirs, and any other device or equipment associated with the delivery of the energy form or product produced by a facility, except that the term does not include a facility or a natural gas or crude oil gathering line 25 inches or less in inside diameter.

(4) "Board" means the board of environmental review provided for in 2-15-3502.

(5) "Certificate" means the certificate of environmental compatibility issued by the department under this chapter that is required for the construction or operation of a facility.

(6) "Commence to construct" means:

(a) any clearing of land, excavation, construction, or other action that would affect the environment of the site or route of a facility but does not mean changes needed for temporary use of sites or routes for nonutility purposes or uses in securing geological data, including necessary borings to ascertain foundation conditions;

(b) the fracturing of underground formations by any means if the activity is related to the possible future development of a gasification facility or a facility employing geothermal resources but does not include the gathering of geological data by boring of test holes or other underground exploration, investigation, or experimentation;

(c) the commencement of eminent domain proceedings under Title 70, chapter 30, for land or rights-of-way upon or over which a facility may be constructed;

(d) the relocation or upgrading of an existing facility defined by subsection (8)(a) or (8)(b), including upgrading to a design capacity covered by subsection (8)(a), except that the term does not include normal maintenance or repair of an existing facility.

(7) "Department" means the department of environmental quality provided for in 2-15-3501.

(8) "Facility" means:

(a) each electric transmission line and associated facilities of a design capacity of more than 69 kilovolts, except that the term:

(i) does not include an electric transmission line and associated facilities of a design capacity of 230 kilovolts or less and 10 miles or less in length; ~~and~~ AND

(ii) does not include an electric transmission line ~~with a design capacity of more than 69 kilovolts but less than 230 kilovolts~~ for which the person planning to construct the line has obtained right-of-way agreements or options for a right-of-way from more than 75% of the owners who collectively own more than 75% of the property along the centerline; ~~and~~ IF:

(A) THE LINE HAS A DESIGN CAPACITY OF MORE THAN 69 KILOVOLTS BUT LESS THAN 230 KILOVOLTS; OR

(iii) does not include an electric transmission line extending

(B) THE LINE IS LESS THAN 150 MILES IN LENGTH AND EXTENDS from an electrical generation facility, as defined in 15-24-3001(4), to the point at which the transmission line connects to a regional transmission grid at an existing transmission substation or other facility;

(b) (i) each pipeline, whether partially or wholly within the state, greater than 25 inches in inside diameter and 50 miles in length, and associated facilities, except that the term does not include:

(A) a pipeline within the boundaries of the state that is used exclusively for the irrigation of agricultural crops or for drinking water; or

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(ii) each pipeline, whether partially or wholly within the state, greater than 17 inches in inside diameter and 30 miles in length, and associated facilities used to transport coal suspended in water;

(c) any use of geothermal resources, including the use of underground space in existence or to be created, for the creation, use, or conversion of energy, designed for or capable of producing geothermally derived

power equivalent to 25 million Btu's per hour or more or any addition thereto, except pollution control facilities approved by the department and added to an existing plant; or

(d) for the purposes of 75-20-204 only, a plant, unit, or other facility capable of generating 50 megawatts of hydroelectric power or more or any addition thereto.

(9) "Person" means any individual, group, firm, partnership, corporation, limited liability company, cooperative, association, government subdivision, government agency, local government, or other organization or entity.

(10) "Transmission substation" means any structure, device, or equipment assemblage, commonly located and designed for voltage regulation, circuit protection, or switching necessary for the construction or operation of a proposed transmission line.

(11) "Utility" means any person engaged in any aspect of the production, storage, sale, delivery, or furnishing of heat, electricity, gas, hydrocarbon products, or energy in any form for ultimate public use."

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(ii) does not include an electric transmission line ~~with a design capacity of more than 69 kilovolts but less than 230 kilovolts~~ WITH A DESIGN CAPACITY OF MORE THAN 69 KILOVOLTS BUT LESS THAN 230 KILOVOLTS for which the person planning to construct the line has obtained right-of-way agreements or options for a right-of-way from more than 75% of the owners who collectively own more than 75% of the property along the centerline; ~~and IF:~~

~~— (A) THE LINE HAS A DESIGN CAPACITY OF MORE THAN 69 KILOVOLTS BUT LESS THAN 230 KILOVOLTS; OR; AND~~

~~(iii) does not include an electric transmission line extending~~

~~(B) THE LINE (iii) DOES NOT INCLUDE AN ELECTRIC TRANSMISSION LINE THAT IS LESS THAN 150 MILES IN LENGTH AND EXTENDS from an electrical generation facility, as defined in 15-24-3001(4), to the point at which the transmission line connects to a regional transmission grid at an existing transmission substation or other facility FOR WHICH THE PERSON PLANNING TO CONSTRUCT THE LINE HAS OBTAINED RIGHT-OF-WAY AGREEMENTS OR OPTIONS FOR A RIGHT-OF-WAY FROM MORE THAN 75% OF THE OWNERS WHO COLLECTIVELY OWN MORE THAN 75% OF THE PROPERTY ALONG THE CENTERLINE;~~

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NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

- END -

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: By **CHAIRMAN ROD BITNEY**, on January 20, 2003 at
3:00 P.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Rod Bitney, Chairman (R)
Rep. Gary Matthews, Vice Chairman (D)
Rep. Alan Olson, Vice Chairman (R)
Rep. Dee Brown (R)
Rep. Eileen J. Carney (D)
Rep. Hal Jacobson (D)
Rep. Scott Mendenhall (R)
Rep. John Parker (D)
Rep. Diane Rice (R)
Rep. Brennan Ryan (D)
Rep. Jim Shockley (R)

Members Excused: None.

Members Absent: Rep. Tim Dowell (D)
Rep. Daniel Fuchs (R)
Rep. Jeff Laszloffy (R)

Note: **Representatives Dowell, Fuchs, and Laszloffy** arrived during the hearing some time after the roll was taken.

Staff Present: Glenna McClure, Committee Secretary
Mary Vandembosch, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.
Time stamp in noted prior to testimony or action.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 27, 1/16/2003; HB 303,
1/16/2003; HB 304, 1/16/2003
Executive Action: None

HEARING ON HB 27

Sponsor: REPRESENTATIVE NORMA BIXBY, HD 5

Opening Statement by Sponsor:

{Tape: 1; Side: A; Approx. Time Counter: 1.7 - 13.1}

REP. NORMA BIXBY, said that HB 27 would establish an act to require the Department of Corrections to provide for at least one person who is knowledgeable and experienced in traditional American Indian religious practices available to the state institutions systems. She indicated that American Indians in the prison systems need spiritual support. She said that she is not only carrying this bill on behalf of the American Indians who are incarcerated in the correctional institutions, but also on behalf of the Interim Committee on Tribal State Relations. American Indians are the only people in this nation who require federal legislation to practice their religion.

All other people have the right to practice their religion without federal legislation. There must be an understanding between cultures. Indians have a rich oral history that is handed down from generation to generation. Ceremonies are not written, but practiced. Just as other religions have priests, ministers, and rabbis, the American Indians have spiritual leaders. For years the Indian ceremonies were practiced underground. Many were persecuted when they practiced their ceremonies. Although there are some ceremonial practices occurring in correctional institutions, there is some indication of discrimination. She provided a copy of some minutes of the Prayer Warrior Society that indicate some of the discriminations that were occurring in the prison.

EXHIBIT (feh11a01)

The elders who are prisoners are restricted in what they can do for other inmates. They cannot train non-Indians in the handling of ceremonial artifacts, therefore they cannot be assured that the artifacts are handled properly. She distributed a fact sheet on the demographics of prison population.

EXHIBIT (feh11a02)

Because there is such discrimination against American Indians in the prisons, many Indians refrain from identifying themselves as Indians. But as Indian prisoners are allowed to practice their religion, this may change. It is important that an Indian be

hired by the institutions. She then introduced Nancy Knight who was hired as a Native American liaison for the correctional system. She also introduced Mr. Slaughter of the Department of Corrections. She distributed the six-month report on Native American Indian Issues.

EXHIBIT (feh11a03)

Proponents' Testimony:

{Tape: 1; Side: A; Approx. Time Counter: 13.1 - Tape: 1; Side B; 7.0}

Brad Martin, Executive Director, Montana Democratic Party, and resident of Helena, said that a path to profound change in a person's life is often guided by a person's belief in a higher power, a spiritual force or religion. We live in a country and a state united and built on a firm law of respect for different faiths to guide our people in their daily lives and in times of crisis. Montana has a disproportionate number of Native American people in the correctional system. He asked that the committee respect the redemptive role that Native American spiritual leaders could have in the role of inmates' lives.

Betty Whiting, Montana Association of Churches, urged the committee to pass HB 27. Her organization feels that there are many injustices to the American Indians, one being their lack of spiritual leaders in the correctional system. There is a study that indicates that prisoners who have some religious exposure have a much lower rate of returning to prison than those who have no religious exposure.

Toni Plummer-Alvernez, concerned tribal member, said that she is here in support of HB 27. She indicated that those who do find a way out of the prison system, it is usually because someone was there, while they were locked up, to help them.

Gene Fenderson, representing the Progressive Labor Caucus, said that he is in support of HB 27 and asked that the committee give the bill a positive do pass.

Laurie SunChild, concerned tribal member, said that since praying is her God-given right, it should also be so for those Indians in prison. She feels that if this bill is passed it may serve to help in the rehabilitative process for Indian inmates. She asked for the committee's vote in favor of this bill.

Pauline Small, concerned trial member, said that her daughter is a representative of HD 6. She said that the Christian religion was more or less forced upon them. They already had their religion. God didn't come on the Mayflower. She went over how the Mayflower brought many things to the people here, such as the Bible, alcohol, drugs, and guns. She reiterated that the Indian religion was handed down from generation to generation and was still practiced. Although she was raised Catholic, she still practices the religion of her childhood. She felt that this bill would be instrumental in inmates being helped to practice the religion that they were taught as children.

Informational Testimony:

Gilda Clancy, Eagle Forum, (a national grass-roots organization that stands for pro-life and pro-family values), said that she does not stand as an opponent or proponent of this bill. She conducts Bible seminars at the women's prison. Many Native American women attend her Bible seminars which she conducts as a volunteer. She also indicated that there is a disproportionate number of Indian Women in the prison and she has a great compassion for them.

Nancy Knight, Native American Liaison and Grants Coordinator, Department of Corrections, said that she has met with Native American Inmates and Tribal Council and they have worked on a feasibility study for a prerelease center on a reservation. There are 22 different religions practiced in the prison. Native American spirituality is a tradition that is passed on, and therefore, is difficult for the Department of Corrections to deal with because there is no Bible or written form for reference. They cannot pick up a book to see if the traditions and ceremonies are being practiced correctly and with respect. Some progress in this area is the fact that the requirements for the Religious Coordinator have been changed. A Master's degree in Theology is no longer required for the Religious Coordinator position. There is a sweat lodge at all of the facilities and inmates are able to sweat weekly. There is a requirement in some cities, however, to acquire a burning permit when the lodge is used.

Questions from Committee Members and Responses:

{Tape: 1; Side: B; Approx. Time Counter: 7.1 -26.7}

REP. BROWN asked the sponsor to clarify the politically correct term, "is it Indian, is it Native American, is it either, sometimes is it neither?"

REP. BIXBY indicated that in the education community, they have selected the term American Indian. The State of Montana still has a lot of documents that say Native American which usually represents Indian people.

REP. BROWN asked if the American Indian religions were similar enough to have only one representative through the Department of Corrections, or if there would be a need to hire more staff to accommodate the differences in the American Indian population religions.

REP. BIXBY said that they could come to some consensus as to what they would use for their ceremonies. When a ceremony is performed it is respected by other tribes.

REP. BROWN asked if there should be a change to line 14 to read American Indian rather than Native American traditionalist.

REP. BIXBY said that it was not something that was discussed.

REP. DOWELL asked what kind of religious support exists currently in the prison.

Nancy Knight said that there is a full-time religious activities coordinator at Montana State Prison (MSP) and two half-time religious coordinators. Their position is not specific to any religion, however, one is a Lutheran minister, one is a Methodist minister and one is a Catholic Priest. Although they have stronger ties to those religions, they are there for the whole population and they provide for a sweat ceremony weekly.

REP. LASZLOFFY asked if Ms. Knight had said there were currently 26 different religions practices in the prisons.

Nancy Knight said that there were actually 22 different religions being practiced.

REP. LASZLOFFY asked if there was currently one full-time and two part-time religious coordinators, and volunteers specific to each religious practice.

Nancy Knight indicated that was true. There are many volunteers for some of the religions, however, there is not a strong volunteer group through the Native Americans to meet their spiritual needs.

REP. LASZLOFFY asked if the reason for a lack of volunteer group is the fact that there hasn't been much effort to find them or if volunteers have not come forward.

Nancy Knight indicated that it is a combination of both.

REP. MATTHEWS indicated that he was involved in the practice of a sweat and asked if this would change the policy regarding religious articles.

Nancy Knight said that it would not change the current policy. The policy addresses the use of certain articles in religious ceremonies.

REP. JACOBSON asked what the concerns were pertaining to not having the Native American religion proceedings in writings.

Nancy Knight answered that they can refer to a book, such as a Bible or book of Koran, for other religions and specific denominations. The difficulty in helping with Native American ceremonies is that the Indians practice ceremonies specific to the clan in which they belong. In the correctional system it is important to know exactly what is needed for ceremonies in order to prepare the proper security and safety precautions. There isn't a book to look up the proper procedures or a directory of Indian religious leaders to call for direction.

REP. LASZLOFFY asked if they intend for this to be a paid position or would it be a volunteer position.

REP. BIXBY said that she understood that there was a half-time position already budgeted.

REP. LASZLOFFY asked if the half-time position is one of the two half-time positions already filled.

REP. BIXBY said that there was budget for a half-time position and they wanted to fill the position with a spiritual person.

REP. MENDENHALL asked, in reference to Ms. Plummer-Alvarez's testimony, if there have been changes over the past years. It sounded as though her husband was able to take advantage of spiritual leadership when he was in prison.

REP. BIXBY indicated that she wasn't sure of the timing of his incarceration or if they were practicing at that time.

CHAIRMAN BITNEY asked how this issue had been dealt with in other states and federally.

Nancy Knight indicated that the Federal Bureau of Prisons has a fundamental spirituality program for Native American religions. Other states are struggling with this issue also.

Closing by Sponsor:

{Tape: 1; Side: B; Approx. Time Counter: 26.7 - Tape:2; Side: A; 4.7}

REP. BIXBY indicated that it is an important issue in the lives of the inmates. It helps them to put religion back into their lives which helps them when they are out of prison. Since there is no book to refer to for Indian religions or ceremonies, it is important to have someone on staff who understands the significance of the ceremonies and religious articles. She asked that the committee recommend that the bill do pass.

HEARING ON HB 303

Sponsor: REPRESENTATIVE ALAN OLSON, HD 8

Opening Statement by Sponsor:

{Tape: 2; Side: A; Approx. Time Counter: 4.9 - 8.1}

REP. OLSON explained that the bill is an act modifying the definition of facility under the Montana Major Facility Siting Act (MFSA) as it relates to transmission lines. On the second page of the bill, the changes are on line 17, 18, and 19. The changes do significant streamlining. It would encourage business development in Montana which will add to the economic well-being of the state.

Proponents' Testimony:

{Tape: 2; Side: A; Approx. Time Counter: 8.1 - 16.7}

Russ Ritter, Montanans for Reasonable Economic Electrical Development, explained his group is a grassroots organization that has been created to try to develop energy throughout the eastern part of the state of Montana where much of the coal reserves exist. It is important to create an economy based on natural resources. If Montana had the ability to move more electricity, it could not be moved because of the surrounding

states. This bill will provide the first step in solving the problem.

Steve Wade, Attorney, Helena, said that he was testifying on behalf of the Bull Mountain Development (project sponsor for the Roundup Power Project), and Great Northern Properties. He said that it is redundant to require a project to require review under the MFSA when power lines are already addressed in the Environmental Impact State (EIS). The Roundup project has had impacts evaluated under the EIS. The bill would allow projects to move forward without unneeded regulatory processes.

Jim Mockler, Montana Coal Council, said that last session much of the MFSA was repealed other than power and gas lines. Gas and power lines were left for a reason. There would be uniformity of lines were to go across the state. It was not meant for short connecting lines. The short lines are addressed in the EIS on the power plant. They will not escape review.

Bob Pavlovich, I.B.E.W.-233, Butte, said that this bill will create good paying jobs. He indicated that Butte has a pit that is shut down because of lack of electricity that has cost 330 jobs. This bill would help provide the electricity necessary to create jobs.

Jerry Driscoll, AFL-CIO, said that if we do not start building transmission lines and facilities by 2007 there will be an unregulated monopoly. With the present law it adds costs because of the additional review through the MFSA.

Willie Duffield, Assistant Director, Montana Association of Oil, Gas and Coal Counties, said that he supports HB 303 and believes it is a great step in encouraging development in the state.

Opponents' Testimony:

{Tape: 2; Side: A; Approx. Time Counter: 16.7 - Side B; 6.9}

Patrick Judge, Montana Environmental Information Center (MEIC), said that the MFSA was passed in the mid 1970's to regulate the location of power plants, pipelines, transmission lines. It required that such structures be certified as to environmental compatibility and public need. Structures have to obtain a certificate of environmental compatibility. The exemption proposed by HB 303 is focused on the transmission lines from the facility to where they tie into the grid. The Roundup project is requesting a 160 KV line which is unusual for the amount of power that will be transmitted across that line. It is the opinion of

the MEIC that the only benefit was that they could escape review under the Siting Act by avoiding the 240 kilovolt trigger. This bill would further weaken the laws protecting the environment.

Matthew Leow, Montana Public Interest Research Group (MontPIRG), said that he is in opposition of this bill. He indicated that the importance of MFSA is for public participation in the process of approving the construction of transmission lines.

Sherm Janke, Montana Chapter, Sierra Club, said that he questions how unfettered transmission lines cannot be considered a major facility. Montana resources in Butte went down because of electrical utility deregulation; the cost went up and they had to go out of business for that reason. The main objection to the bill is that it represents one more cut to the original act.

Michelle Reinhart, Northern Plains Resource Council, said that Northern Plains stands in opposition to the bill. Members of the Council were instrumental in getting the MFSA passed in 1973. The siting act provided Montanans with some control over major energy production facilities and the pipelines and transmission lines that come with the facilities. Property owners were given the opportunity to participate in the decisions to run transmission lines through their land. Development can be done responsibly. Northern Plains urges the committee to kill this bill.

Questions from Committee Members and Responses:

{Tape: 2; Side: B; Approx. Time Counter: 6.8 - Tape: 3; Side A; 2.9}

REP. SHOCKLEY asked Mr. Wade if a 161 KV line would fit within the currently existing statute if 75% of the landowners agreed to the easement and if that was the problem. He referenced page two, line 13, (ii) of the bill.

Steve Wade said that specifically for the Roundup Power Project, if the project is permitted, it is the plan of the sponsor to acquire the right-of-way from a railroad that is going to be built. It seems ridiculous to be reviewed again.

REP. SHOCKLEY asked that if they have the right-of-way, wouldn't they fit the existing statutes and really don't need this amendment.

Steve Wade said that this is true, although it creates options for some problems that they have had. It should be up to the

project to decide what transmission volts they should go under. The Roundup project is excluded from the MFSA because it is under 161.

REP. SHOCKLEY said that it appears that these land owners are about to be subject to imminent domain proceedings because they haven't agreed to give the right-of-way. He asked Mr. Wade if that was true.

Steve Wade said that wasn't the case.

REP. SHOCKLEY asked how long the line was going to be.

Steve Wade said that the Roundup line was about 32 miles. A project could be excluded if it were a 230 line if it were under 10 miles.

REP. CARNEY asked how long it would take to built the lines after given the authority.

REP. OLSON said, "two years."

REP. CARNEY asked that, if the power starts here, wouldn't a lot of capacity be lost by the time it goes to California.

REP. OLSON said that this wouldn't apply to the Roundup project but went on to explain that the electrical grid in the country is like a series of water pipes. Water or electricity put into the system here and those particular electrons may not come out in California. The power may gain capacity on the grid.

REP. CARNEY said that her concern is if this is like buying a computer. Shortly after buying a computer it is outdated. She asked if dinosaurs are being built, since fuel cells are being introduced that don't need lines.

REP. OLSON said that fuel cells are not reliable yet. This bill allows a need to be filled until fuel cells are more available and reliable.

REP. CARNEY asked if the farmers and ranchers have a cause to worry about high power transmission lines going over their property.

REP. OLSON said that she is probably referring to electromagnetic fields. The lines used would most likely be 230 KV lines which is unlike the big bundles of lines that go from Colstrip. The

lines affected are the lines from the generator to the grid to a substation.

REP. JACOBSON said that his question was similar to REP. SHOCKLEY'S question that referred to page two, lines 13-16. These lines address some basic property concerns. He asked for further clarification.

Mr. Wade said that the new provision did not allow automatic control of someone's property. The imminent domain act would prevent that from happening.

REP. LASZLOFFY asked that Mr. Ritter address the comments made by the Sierra Club.

Russ Ritter said that he believed that Montana Resources had to shut down as a result of deregulation. He said that he believed that Montana Resources supported deregulation. He also indicated that the rise in costs, in his opinion, was not due to deregulation.

REP. RICE asked what was the stand of the AARP.

Ed Eaton, AARP, indicated that the person who could respond had left but the organization was not comfortable with the bill.

REP. SHOCKLEY asked Mr. Wade would object to changing the wording from line 14 (after the word kilovolt), through line 17 to "does not include an electric transmission line extending from an electrical generation facility for which the person planning to construct the line is obtaining right-of-way agreements or options for a right-of-way for more than 75% of the owners who collectively own more than 75% of the property along the centerline as defined in _____."

Mr. Wade said that, with respect to the Roundup project, it would not have an impact.

REP. FUCHS asked about the per capital income prior to the Major Facility Siting Act in the 1970's and what percentage of our revenue came from natural resource production in the state.

REP. OLSON said that a company that he had worked for went from 350 employees to none in 1989.

REP. FUCHS said that he had information provided from the Department of Revenue from 1984. It indicates that 26.8% of Montana's revenue came from natural resource production. This

was 11 years after the MFSA. Currently the state is down to 6.1% of revenue from natural resource production. In 1984 the state was only \$2,000 away from the national per capita income; today the state had fallen almost \$8,000 behind the nation for per capita income.

REP. CARNEY indicated that the committee should consider the cost, in particular, Libby.

CHAIRMAN BITNEY indicated that these issues should be addressed in Executive Action.

Closing by Sponsor:

{Tape: 3; Side: A; Approx. Time Counter: 2.9 - 6.9}

REP. OLSON said that because of the EIS requirements, the Roundup power plant is going to run twin 161 KV lines because the exemptions in the act would not allow them to run a 230 KV line. The 230 KV line would have less impact on the ground than the twin 161 lines. This bill would not weaken the environmental laws.

HEARING ON HB 304

Sponsor: **REP. ALAN OLSON**

Opening Statement by Sponsor:

{Tape: 3; Side: A; Approx. Time Counter: 6.9 - 11.0}

REP. OLSON said that HB 304 is an act clarifying requirements for a coal mine operator to receive a reduction in the severance tax imposed on each ton of coal produced, if the coal is sold to instate electrical generation facilities. This bill is to correct provision of SB 134 from the 2001 session. SB 134 was an act to encourage the use of coal in Montana electrical generation facilities. HB 304 would strike the provision requiring that half of the electricity produced by a Montana electrical generator be sold in the state. It would also clarify the term "agrees to offer". It would change "agrees to offer" to "offers to sell." These changes would make 15-35-103 conform to other electrical generation legislation.

Proponents' Testimony:

{Tape: 3; Side: A; Approx. Time Counter: 11.0 - 17.9}

Jim Mockler, Montana Coal Council, said that he is in support of HB 304. He also asked that there be an amendment to the bill on line 28 to strike the words "and before January 1, 2008." He provided written information outlining the financial projections of coal-fired power plant. Big business also provides for smaller businesses to be created such as is the case in Colstrip. He distributed information on Coal-Fired Power Plant and Mine Development.

EXHIBIT (feh11a04)

Russ Ritter, MRED, said he stands in strong support of HB 304.

Willie Duffield, Montana Association of Oil, Gas, and Coal Counties, said that he also supports the passage of this bill.

Charles Brooks, Billings Area Chamber of Commerce, said that the Chamber believes that an increasing supply of energy in Montana would help to provide a solution to current and future power needs facing the state and country.

Gene Walborn, Department of Revenue, said that they also stand in support of the bill.

Steve Wade, Great Northern Properties, said that he urged the committee approval of this bill with the amendments offered by Mr. Mockler.

Opponents' Testimony:

{Tape: 3; Side: A; Approx. Time Counter: 17.9 - Tape: 3; Side B, 3.9}

Patrick Judge, Montana Environmental Information Center, said that this bill would only benefit those selling power out of state. Montana already produces twice the electricity than consumed in the state. Montana's environmental laws are being systematically dismantled. He said that this bill is in poor form to be giving additional tax breaks for the energy industry in light of Montana's economic state.

Gene Fenderson, Progressive Labor Caucus, said that they are in strong opposition of this bill.

Don Judge, Teamsters Local 190, said that they predict that some of the old generation facilities, such as Colstrip, are going to raise political and legal questions over the ability or inability to pay lower taxes if this bill is passed in it's current form.

They could raise that issue now, under the current law without this bill being passed, if we were to offer lower rates to a newer operating facility just based on the fact that they were proving that revenue to Montana. He asked, "How long do you think Colstrip can operate if they are paying three times the rate of coal severance tax that their nearest competitor is?" Energy deregulation has cost the state a tremendous amount of money. He asked that the committee defeat the bill.

Matthew Leow, Montana PIRG, said that there isn't a fiscal note on this bill, which would be interesting. He indicated that half of the Coal Severance Tax goes into the Coal Severance Trust Fund and half goes into the General Fund. He asked that the committee give the bill a do not pass.

Sherm Janke, Bozeman, Sierra Club, Montana Chapter, said that he fully supports the previous opponents to this bill. He indicated that this was another tax break for big industry. It sets up a double standard. There will be one standard for coal that will be shipped out of state for generation of electrical energy somewhere else; and there will be a different standard for generation facilities in Montana.

Michelle Reinhart, Northern Plains Resource Council, said that the members echo the comments made by previous opponents and urge the committee to give this bill a do not pass recommendation.

Questions from Committee Members and Responses:

{Tape: 3; Side: B; Approx. Time Counter: 3.9 - 7.5}

REP. MATTHEWS asked how long it takes to build a coal generation plant.

REP. OLSON, said that the permitting process alone takes about three years. The actual construction takes approximately another three years.

REP. MATTHEW asked how big the Bull Mountain project was going to be and how it compared to the Colstrip generation facilities.

REP. OLSON said that the Bull Mountain plant would consist of two-380 megawatt units, 350 megawatt of marketable power. This is considerably smaller than Colstrip.

REP. DOWELL asked if there was to be a fiscal note on this bill.

REP. OLSON said that there was not fiscal note because there is no known way to quantify what the fiscal impact would be. There are no impacts to the general fund if there is no project.

REP. DOWELL said that there are many proposed ideas that require fiscal notes because of expected lost or expected gain to the general fund. He then directed the question to Mr. Wahlborn.

Gene Wahlborn, indicated that the bill did not require a fiscal note because they were clarifying the statute, not making a change to the rate of reduction and who would qualify.

Closing by Sponsor:

{Tape: 3; Side: B; Approx. Time Counter: 7.5 - 10}

REP. OLSON said that we ship other resources out of the state also, such as wheat, barley, and our kids. A normal fire season in Montana produces more pollution than the power plants. The revenue lost from the Coal Severance Tax would be far less than if there was no Coal Severance Tax. He asked that the committee give the bill a do pass recommendation.

HOUSE COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND
TELECOMMUNICATIONS

January 20, 2003

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ADJOURNMENT

Adjournment: 5:40 P.M.

REP. ROD BITNEY, Chairman

GLENNA MCCLURE, Secretary

RB/GM

EXHIBIT (feh11aad)

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN BILL TASH**, on March 5, 2003 at 3:06 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Bill Tash, Chairman (R)
Sen. Aubyn Curtiss, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Gregory D. Barkus (R)
Sen. Jon Ellingson (D)
Sen. Rick Laible (R)
Sen. Bea McCarthy (D)
Sen. Dan McGee (R)
Sen. Gary L. Perry (R)
Sen. Glenn Roush (D)
Sen. Debbie Shea (D)
Sen. Ken Toole (D)

Members Excused: None.

Members Absent: None.

Staff Present: Krista Lee Evans, Legislative Branch
Roberta Opel, Committee Secretary

Video-Taped Committees: This is the video log of a committee hearing. The log provides a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted: HB 437, 3/2/2003, HB 303, 3/2/2003,
HB 436, 3/2/2003
Executive Action: None

HEARING ON HB 437

Opening Statement by Sponsor: REP. ALAN OLSON, HD 8, Roundup, presented HB 437; an act generally revising laws governing the environment.

Proponents' Testimony:

3:08pm Leo Berry, representing Western Environmental Trade Association (WETA) **EXHIBIT (nas46a01)** and **EXHIBIT (nas46a02)**
 3:19pm Jerry Driscoll, representing MT. AFL-CIO
 3:20pm Ellen Engstedt, representing MT. Wood Products Association
 3:21pm Don Serba, Pulp Paper grassroots organization
 3:22pm John Forkin, MT. State Building and Construction Assoc.
 3:25pm Bob Pavlovich, IBEW-223
 3:26pm Leif Griffin, Smurfit-Stone Container
 3:26pm John Youngberg, MT. Farm Bureau
 3:28pm Bob Gilbert, MT. Petroleum Marketers and C-Store Assoc.
 3:29pm Ken Losh, Stone Container, Missoula
 3:30pm Cary Hegreberg, MT. Contractors' Association
 3:31pm Spook Stang, MT. Motor Carriers Association
 3:32pm John Forkan, MT. Building Trades
 3:33pm Gail Abercrombie, MT. Petroleum Association
 3:34pm Webb Brown, MT. Chamber of Commerce
 3:34pm Peggy Trenk, MT. Association of Realtors
 3:35pm Jerome Anderson, Encore Acquisition
 3:35pm Jim Mockler, MT. Coal Council
 3:37pm Ted Natinoli, Missoula Mining Association
 3:39pm Cory Swanson, Plum Creek Timber Company
 3:40pm Ray Coniff, Missoula
 3:41pm Willy Heffin, MT. Oil and Gas Producers
 3:41pm Patrick Montalban, representing gas producers

Opponents' Testimony:

3:43pm Tamara Tragakiss, on behalf of Northern Plains Resource Council (NPRC) **EXHIBIT (nas46a03)** EXHIBIT 3a
 3:46pm Ann Hedges, Montana Environmental Information Center (MEIC) **EXHIBIT (nas46a04)** **EXHIBIT (nas46a05)** EXHIBIT 5a
 3:51pm Matt Klifford, representing Clark Fork Coalition
 4:00pm Don Judge, on behalf of the Montana Sierra Club
 4:07pm Wade Sikorski, representing himself **EXHIBIT (nas46a06)**
 4:10pm Arleen Boyd, Stillwater Protective Assoc.
EXHIBIT (nas46a07)
 4:16pm Brenda Hall, Tongue River Water User's Association
 4:17pm Lynn Fairbanks, representing herself

Questions from Committee Members and Responses:

4:17pm Begin
4:53pm End
36 min Elapsed time

Closing by Sponsor:

4:54pm **REP. OLSON** closed the hearing on HB 437.

HEARING ON HB 303

Opening Statement by Sponsor: **REP. ALAN OLSON, HD 8, Roundup,** opened the hearing on HB 303; an act modifying the definition of "facility" under the Montana Major Facility Siting Act as it relates to transmission lines.

Proponents' Testimony:

5:01pm Bob Pavlovich, IBEW-233
5:02pm Jim Mockler, MT. Coal Council
5:03pm Steve Wade, Great Northern Properties
5:03pm Cary Hegreberg, MT. Contractors' Association
5:04pm Don Allen, WETA

Opponents' Testimony:

5:05pm Michele Reinhart, NPRC **EXHIBIT (nas46a08)**
5:10pm Patrick Judge, MEIC **EXHIBIT (nas46a09)** and submitted written testimony on behalf of Renewable Northwest Project
EXHIBIT (nas46a10)
5:13pm Wade Sikorski, representing himself

Questions from Committee Members and Responses:

5:15pm Begin
5:26pm End
11 min Elapsed time

Closing by Sponsor:

5:28pm **REP. OLSON** closed the hearing on HB 303.

HEARING ON HB 436

Opening by Sponsor: **REP. ALAN OLSON, HD 8, Roundup,** presented HB 436; an act eliminating compliance with the Montana Environmental

Policy Act for state land leases that are subject to further permitting requirements.

Proponents' Testimony:

5:30pm Gail Abercrombie, MT. Petroleum Association
5:31pm Patrick Montalban, Northern MT. Oil and Gas Association
5:32pm Steve Wade, representing Great Northern Properties
5:34pm Jim Mockler, MT. Coal Council
5:35pm Willie Heffin, MT. Oil and Gas Producers
5:35pm Cary Hegreberg, MT. Contractors' Association
5:36pm Don Allen, (WETA)

Opponents' Testimony: None

Informational Witnesses and Testimony:

5:37pm Monte Mason, Bureau Chief, Minerals Management Bureau, MT.
Dept. of Natural Resources and Conservation

Questions from Committee Members and Responses:

5:37pm Begin
5:43pm End
6 min Elapsed time

ADJOURNMENT

Adjournment: 6:05 P.M.

SEN. BILL TASH, Chairman

ROBERTA OPEL, Secretary

BT/RO

EXHIBIT (nas46aad)

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN BILL TASH**, on March 12, 2003 at 3:13 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Bill Tash, Chairman (R)
Sen. Aubyn Curtiss, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Gregory D. Barkus (R)
Sen. Jon Ellingson (D)
Sen. Rick Laible (R)
Sen. Bea McCarthy (D)
Sen. Dan McGee (R)
Sen. Gary L. Perry (R)
Sen. Glenn Roush (D)
Sen. Debbie Shea (D)
Sen. Ken Toole (D)

Members Excused: None.

Members Absent: None.

Staff Present: Krista Lee Evans, Legislative Branch
Roberta Opel, Committee Secretary

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted: HB 683, 3/12/2003, HB 443,
3/12/2003, HJ 4, 3/12/2003, HB 303,
3/12/2003
Executive Action: None

HEARING ON HB 683

Opening Statement by Sponsor: REP. JOHN BRUEGGEMAN, HD 74, Polson, presented HB 683 to the committee; revise requirements for a change in a water appropriation right. **EXHIBIT(nas52a01)**

Proponents' Testimony:

3:16pm Jan Niemeyer, representing both Charlo and Lake County **EXHIBIT(nas52a02) EXHIBIT(nas52a03) EXHIBIT(nas52a04)**

3:17pm John Tubbs, representing DNRC

3:18pm Jack Stults, Administrator, Water Resources Division, MT. Dept. of Natural Resources and Conservation (DNRC)

EXHIBIT(nas52a05)

3:31pm Jon Metropoulos, on behalf of MT. Water Resources Assoc.

3:32pm Rep. Rick Ripley, HD 50, Wolf Creek

Opponents' Testimony:

3:33pm Fred Matt, Tribal Chairman, Confederated Salish and Kootenai Tribes **EXHIBIT(nas52a06)**

3:36pm John Carter, attorney, Confederated Salish and Kootenai Tribes

3:40pm Rep. Frank Smith, representing Fort Peck Reservation

3:44pm Rep. Joey Jayne, representing Charlo

Informational Testimony and Witnesses:

Written testimony was submitted from the MT. Legislative Services Division, Legal Services Division **EXHIBIT(nas52a07)**

Questions from Committee Members and Responses:

3:43pm Begin

4:17pm End

26 min Elapsed time

Closing by Sponsor:

4:17pm REP. BRUEGGEMAN closed the hearing on HB 663.

HEARING ON HB 443

Opening Statement by Sponsor: REP. MICHAEL LANGE, HD 19, Billings, presented HB 443 to the committee; revise major facility siting act.

Proponents' Testimony:

4:30pm Bob Pavlovich, representing IBEW 233
4:31pm Jim Mockler, representing MT. Coal Council
4:31pm Don Allen, WETA
4:43pm Gail Abercrombie, MT. Petroleum Association

Opponents' Testimony:

4:35pm Patrick Judge, Montana Environmental Information Center
EXHIBIT (nas52a08) .
4:40pm Sherm Janke, representing MT. Chapter of the Sierra Club
EXHIBIT (nas52a09)
4:46pm Michele Reinhart, Northern Plains Resource Council (NPRC)

Questions from Committee Members and Responses:

4:47pm Begin
4:56pm End
9 min Elapsed time

Closing by Sponsor:

4:56pm **REP. LANGE** closed on HB 443.

HEARING ON HJ 4

Opening Statement by Sponsor: **REP. MICHAEL LANGE, HD 19, Billings**, presented HJ 4 to the committee; water management practices review.

Proponents' Testimony:

5:02pm Jack Stults, Administrator, Water Resources Division, DNRC
5:03pm Bob Goffena, Deadman Basin Water User's Board
5:10pm John Wilson, representing MT. Trout Unlimited
5:11pm Larry Peterman, Chief, Field Operations, MT. Dept. of Fish, Wildlife & Parks (FWP)
5:12pm Sherm Janke, representing MT. Sierra Club
5:14pm John Bloomquist, representing MT. Stockgrower's Association
5:16pm Michele Reinhard, NPRC
5:16pm Holly Franz, representing MT. Water Resources Association

Opponents' Testimony: None

Questions from Committee Members and Responses:

5:17pm Begin

5:25pm End
8 min Elapsed time

Closing by Sponsor:

5:27pm **REP. LANGE** closed the hearing on HJ 4.

HEARING ON HB 303 (2nd hearing)

Proponents' Testimony: None

Opponents' Testimony:

5:29pm Sherm Janke, representing MT. Sierra Club

Questions from Committee Members and Responses:

5:32pm Begin
5:34pm End
2 min Elapsed time

ADJOURNMENT

Adjournment: 5:34 P.M.

SEN. BILL TASH, Chairman

ROBERTA OPEL, Secretary

BT/RO

EXHIBIT (nas52aad)